

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

- v - :

D E C L A R A T I O N

OUMAR ISSA, ET AL., :

09 Cr. 1244 (RJH)

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I, Oumar Issa, hereby declare under the penalties of perjury, pursuant to 28 U.S.C. § 1746, that:

1. I am the defendant in this criminal action, and make this Declaration in support of a motion to suppress custodial statements taken from me in violation of the Fifth Amendment to the United States Constitution.

2. The statements contained in this Declaration are made based on my best recollection of the events described. However, because the purpose of this Declaration is to establish that my rights were violated, I have not included every detail of what occurred.

3. American law enforcement officers arrested me in Accra, Ghana, on December 16, 2009.

4. On December 17, 2009, American law enforcement officers flew me from Ghana to the Southern District of New York.

5. During the time that I was in the officers' custody they questioned me extensively, and I made statements in response to

their questions.

6. However, the officers never advised me that any statements I made could be used against me, or that I had (1) the right to remain silent; (2) the right to have an attorney present during questions; and (3) the right to have an attorney appointed if I could not afford to hire one.

7. Because I did not know about these rights I did not knowingly waive them.

8. My attorney has advised me that the officers' conduct violated the Fifth Amendment to the United States Constitution, as explained in Miranda v. Arizona, 384 U.S. 436 (1966).

WHEREFORE, it is respectfully requested that this Court enter an order suppressing my custodial statements or, in the alternative, granting a hearing on this motion.

Dated: New York, New York
December 16, 2010

 12/16/10

OUMAR ISSA